

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Robert A. York

APPLICATION NO.:

10/765,578

FILING DATE:

January 26, 2004

TITLE:

Voltage-Variable Capacitor with Increased Current

Conducting Perimeter

**EXAMINER:** 

Junghwa M. Im

**GROUP ART UNIT:** 

2811

ATTY. DKT. NO.:

22994-08791

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: DEC. 29, 2005

Michael W. Farn, Reg. No. 41,015

MAIL STOP AF COMMISSIONER FOR PATENTS P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450** 

## NOTICE OF APPEAL

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed June 30, 2005, finally rejecting claims 1-23.

Pursuant to 37 CFR § 1.17(e), enclosed is payment in the amount of \$730 for the filing of the Notice of Appeal and a three-month extension of time to respond.

Respectfully submitted,

Dated: DEC. 29, 2005

Michael W. Farn, Reg. No. 41,015

Fenwick & West LLP Silicon Valley Center 801 California Street

Mountain View, CA 94041

Tel.: (650) 335-7823 Fax: (650) 938-5200



Express Mail Mailing Number (optional):



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TRANSMITTAL FORM  (to be used for all correspondence during pendency of filed application)		Application Number		10/765,578		
		Filing Date		January 26, 2004		
		First Named Inventor		Robert A. York		
		Group Art Unit Number		2811		
		Examir	ner Name	Junghwa M. Im		
Total Number of Pages in This Submission	4	Attorne	ey Docket Number	22994-08791		
ENCL	OSURES	(che	ck all that apply	/)		
Fee Transmittal Form (in duplicate)  Check Enclosed  Return Receipt Postcard  Response to Notice to File Missing Part Assignment & Recordation Cover Sheet Declaration  Power of Attorney  Application Data Sheet  Information Disclosure Statement & Property of Property of IDS Cited Referent Request for Corrected Filing Receipt  Request for Correction of Recorded Astronomical Amendment/Response: Page(s)  After Final  Status Request  Revocation and Substitute Power of Astronomical Property of	rts et FO/SB/08A ces esignment		Issue Fee Transi Letter to Chief Di Formal Drawing(:	mittal raftsperson s): s) of Figure(s) [ ication to Board ication to Grou Brief, Reply Bri Priority Docum Communication	d of Appeals and p ef) nent(s)	
REMARKS:	· ·					
> SIGNA	TURE OF	ATTO	RNEY OR AGE	NT .		
Signature: While W	<del>}</del>					
Attorney/Reg. No.: Michael W. Farn, Re	g. No. 41,01	5		Dated:	December 29, 2005	
	CERTIFIC	ATF O	F MAILING			
I hereby certify that this correspondence, including first class mail in an envelope addressed to: Mail S shown below. If the Express Mail Mailing Number i Service "Express Mail Post Office to Addressee" se	the enclosures top AF, Commi s filled in below	identified ssioner fo , then this	above, is being deposit r Patents, P.O. Box 14th correspondence is bein	50, Alexandria, V	A 22313-1450 on the date	
Signature: Welfael W. A	<b>—</b>	•				
Typed or Printed Name: Michael W. Fa	rn			Dated:	December 29, 2005	

JAN 0 3 2008

## FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 730

Complete if Known					
Application Number	10/765,578				
Filing Date	January 26, 2004				
First Named Inventor	Robert A. York				
Examiner Name	Junghwa M. Im				
Art Unit	2811				
Attorney Docket No.	22994-08791				

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
Check Credit Card Money Order Other None Deposit Account:	3. ADDITIONAL FEES					
Daposit Account Number 19-2555	Large Entity Small Entity Fee Description		Fee Description	Fee Paid		
Deposit Account Name Fenwick & West LLP	Fee Code	Fee (\$)	Fee Code	Fee (\$)		
The Commissioner is authorized to: (check all that apply)	1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
☐ Charge fee(s) indicated below ☐ Credit any overpayments	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Charge all required fee(s) or any underpayment of fee(s) due	1053	130	1053	130	Non-English specification	
under 37 CFR §1.16 or §1.17 during the pendency of this application		2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below, except for the filing fee to		920*	1804	920*	Requesting publication of SIR prior to Examiner action	
the above-identified deposit account.		1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION		120	2251	60	Extension for reply within first month	
1. BASIC FILING FEE	1252	450	2252	225	Extension for reply within second month	
Large Entity Small Entity	1253	1020	2253	510	Extension for reply within third month	510
Fee Fee Fee Fee <u>Fee Description</u> Fee Paid	1254 1	1,590	2254	795	Extension for reply within fourth month	
Code (\$) Code (\$)	1255 2	2,160	2255	1,080	Extension for reply within fifth month	
	1401	500	2401	250	Notice of Appeal	250
	1402	500	2402	250	Filing a brief in support of an appeal	
	1403	1000	2403	500	Request for oral hearing	
	1451 1	1,510	1451	1,510	Petition to institute a public use proceeding	
(4)	1452	500	2452	250	Petition to revive - unavoidable	
SUBTOTAL (1) (\$) -0-	<b>1453</b> 1	1,500	2453	750	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501 1	1,400	2501	700	Utility issue fee (or reissue)	
Extra Claims Fee from below Fee Pald	1502	800	2502	400	Design issue fee	
Total Claims 20**= X =	1503	1100	2503	550	Plant issue fee	
Independent Claims X =	1460		1460		Petitions to the Director	
Multiple Dependent =	1807	50	1807	50	Processing fee for Provisional Applications	
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	
Fee Fee Code (\$) Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	<del>-</del>
1202 50 2202 25 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 200 2201 100 Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1203 360 2203 180 Multiple dependent claim, if not paid	1801	790	2801	395	Request for Continued Examination (RCE)	
1204 200 2204 100 **Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application	
1205 50 2205 25 **Reissue claims in excess of 20 and over original patent	Other fee	e (specify	()			
SUBTOTAL (2) (\$) -0-						
"or number previously paid, if greater; For Reissues, see above Reduced by Basic Filing Fee Paid						

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent) 41,015		Telephone (650) 335-7823	3
Signature	MuhaelWo	·	Date	DET. 29	, 2005

01/04/2006 WABDELR1 00000029 192555 10765578